

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

TONY H. MORGAN,

Plaintiffs,

vs.

CITY OF HENDERSON, et al.,

Defendants.

Case No. 2:09-cv-01392-GMN-PAL

**ORDER**

(Mtn re Service - Dkt. #34)

This matter is before the court on Plaintiff Tony Morgan's Motion/Notice of Service (Dkt. #34). Plaintiff requests an order recognizing that the U.S. Marshal's Service served the Amended Complaint. Plaintiff states he received a return of service on December 16, 2012. The court's docket reflects that on December 13, 2011, two USM Form 285 returns were filed, showing the U.S. Marshal's Service served the Amended Complaint on Defendants City of Henderson Detention Center and R. Avrett. Defendants filed a Motion to Dismiss (Dkt. #32) on December 19, 2011. Thus, service has been effected, and Defendants filed a motion to dismiss as their responsive pleading. A court order is not required to establish that service is completed.

**IT IS ORDERED** that Motion (Dkt. #34) is DENIED as moot.

Dated this 8th day of March, 2012.

  
 PEGGY A. ZEEN  
 UNITED STATES MAGISTRATE JUDGE